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Book Reviews

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BOOK REVIEWS

ESSAYS ON CONSTITUTIONAL LAW AND EQUITY. By HENRY SCHOFIELD, late Professor of Law in Northwestern University. Boston: THE CHIPMAN LAW PUBLISHING COMPANY. 1921. Two Volumes: Vol. I: pp. xxiv, 456; Vol. II: pp. viii, 459-1006.

This rather peculiar title is due to the fact that constitutional law and equity jurisprudence were the favorite subjects of study of the author. During his sixteen years connection with Northwestern University he wrote numerous articles for the *Illinois Law Review* dealing with these two heads of our jurisprudence. These articles are now republished in permanent form as a memorial to the author who passed away in September, 1918, while still a comparatively young man. Unfortunately, he never attempted the writing of a book and hence the profession must be satisfied with the more or less disjointed fragments presented by the articles. Yet disjoined as they are, they are contributions to the doctrinal side of our law and on a par with the best writing ever done in this country, particularly in regard to constitutional law.

The collection of this material was begun by the managing board of the *Illinois Law Review* while Prof. Schofield was still alive, but after war had broken out in Europe. The increasing violence of the struggle for a time put a stop to the undertaking. Shortly before the Armistice the author died and what was intended as a compliment to him now became a memorial. As such the book will occupy a permanent place in our legal literature. While his style frequently is convolved and apt to lead the reader into a labyrinth, none can emerge from an attentive reading of these articles without being enriched by the new light shed by them on the subject under investigation.

The book, as its title indicates, is divided into two parts. Of its 961 pages, 734 are given over to constitutional law leaving 225 pages for the discussion of problems of equity jurisprudence. Much the greater portion of the work therefore is concerned with constitutional law. The general subjects covered by this first part deal with the relation of the Federal Courts with the United States and State Governments, the full faith and credit clause of the constitution, the obligation of contracts clause, interstate commerce clause, and the clauses providing for due process of law, trial by jury, religious liberty and liberty of the press. The second part deals with specific performance, construction, reformation and rescission of written instruments, relief against torts and proceedings at law, subrogation, exoneration, administration of assets,

No extended review of the individual chapters will be attempted, nor will the many striking illustrations given and sidelights thrown be pointed out. The reader interested in either or both subjects of the book will find much of value in its various chapters which he will search for in vain in the decided cases. The historian searching into the constitutional history of our country will find the book a veritable mine of information, and the courts, when confronted particularly with constitutional problems, will turn to the book with profit. An adequate index makes the material readily available to the busy reader, whether he is a practicing lawyer, a sitting judge, or a writer, or teacher of constitutional law or equity jurisprudence. It is regrettable that there is no table of cases.

CARL ZOLLMANN

HANDBOOK OF THE LAW OF EVIDENCE. By JOHN JAY MCKELVEY. Third Edition. St. Paul: WEST PUBLISHING Co. 1924. pp. xix, 588.